

Remarks

Applicants reply to the Office Action dated September 4, 2007, within the shortened statutory three-month period for reply. Claims 1-12 were pending in the application and the Examiner rejects claims 1-12. No amendments are presented at this time. Reconsideration of this application is respectfully requested.

Applicants thank the Examiner for the Interview with Applicant's counsel on September 27, 2007 to discuss the newly cited reference, namely Cole, U.S. Patent Publication No. 2003/0140005. Applicants also appreciate the Examiner's agreement with Applicants' Patent Agent, Mark Levenda, that, contrary to the presently claimed invention, Cole **does require** that a executed letter of credit be returned to the issuer for approval. As suggested by the Examiner during the telephone conversation with Mark Levenda on December 3, 2007, Applicants submit a summary of the arguments discussed in the telephone conference, which clearly differentiate the presently claimed invention from the Cole reference. **Applicants' counsel would appreciate a phone call if the Examiner would still like to discuss Cole.**

Cole generally discloses a system for managing a trade transaction between an exporter and an importer in a manner that helps to safeguard involved parties. Specifically, the Cole system provides a step-by-step process to manage trade transactions, which requires all necessary documents to be completed for each step in the process, prior to proceeding to the next step. Cole further identifies and corrects mistakes that it detects in documentation. If a mistake cannot be corrected, then Cole reports the mistakes to the appropriate party for correction. In Cole, the settlement of a Letter of Credit (that is generated prior to the start of the trade transaction) is finalized when all of the terms of the Letter of Credit are satisfied and confirmed by the issuing bank.

Contrary to the presently claimed invention, Cole teaches that the a payment on a Letter of Credit is not completed until the trade documents are received at the issuing bank from a nominated bank. According to Cole, it is the issuing bank that confirms that the documents conform to the Letter of Credit, prior to issuing or authorizing payment to the exporter. Specifically, Cole recites the following in regard to confirming the documents:

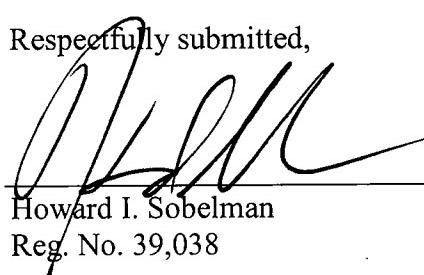
"The exporter then delivers the goods to the importer and presents all of the necessary shipping documents for the draw down of the letter of credit to its negotiating bank 26, which in turn **forwards them to the importer's bank 24 for acceptance**" (paragraph 0077, emphasis added).

Moreover, Cole teaches that its processing steps precede the transfer of ownership, and "without recourse to the exporter" (paragraph 0074). **This is contrary to the presently claimed invention, which claims the negotiation of a trade credit with limited recourse to the issuing bank (importer).** As such, Cole does not disclose or suggest at least, "receiving, at a nominated bank computer associated with a nominated bank, at least one document presented under said letter of credit for at least one of payment, acceptance, and negotiation, where said nominated bank and said issuing bank have agreed to program conditions pursuant to which said nominated bank, based upon examination of said document by said nominated bank and **before said document is forwarded to, received, and accepted by said issuing bank**, at least one of pays, accepts and negotiates said credit with limited recourse to said issuing bank for discrepancies in said document," (emphasis added) as similarly recited in independent claims 1, 6, 8 and 10-12.

Claims 2-5, 7 and 9 variously depend from independent claims 1, 6 and 8, so Applicants assert that claims 2-5, 7 and 9 are differentiated from the cited reference for the same reasons as set forth above, in addition to their own respective features.

In view of the above remarks, Applicants respectfully submit that all pending claims properly set forth that which Applicants regard as their invention and are allowable over the cited references. Accordingly, Applicants respectfully request allowance of the pending claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject application. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-2814.

Dated: December 4, 2007

Respectfully submitted,

By: _____
Howard I. Sobelman
Reg. No. 39,038

SNELL & WILMER L.L.P.
400 E. Van Buren
One Arizona Center
Phoenix, Arizona 85004
Phone: 602-382-6228
Fax: 602-382-6070
Email: hsobelman@swlaw.com